

AARON D. FORD
 Attorney General
 NATHAN M. CLAUS (Bar No. 15889)
 Deputy Attorney General
 State of Nevada
 Office of the Attorney General
 555 E. Washington Ave., Ste. 3900
 Las Vegas, Nevada 89101
 (702) 486-7629 (phone)
 (702) 486-3773 (fax)
 Email: nclaus@ag.nv.gov
Attorneys for Defendants
Scott Davis, James Dzurenda, Mario Castro,
Timothy Garrett, Brian Williams,
Kara LeGrand, and Harold Wickham

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RONALD GARREN,

Plaintiff,

v.

JAMES DZURENDA, *et al.*,

Defendants.

Case No. 3:23-cv-00141-MMD-CSD

**JOINT STIPULATION TO STAY THE
CASE 90 DAYS
[First Request]**

Plaintiff, Ronald Garren, and Defendants, Scott Davis, James Dzurenda, Mario
 Castro, Timothy Garrett, Brian Williams, Kara LeGrand, and Harold Wickham, by and
 through counsel, Aaron D. Ford, Nevada Attorney General, and Nathan M. Claus, Deputy
 Attorney General, of the State of Nevada, Office of the Attorney General, hereby submit
 this *Joint Stipulation to Stay the Case 90 Days*. This Motion is based upon the following
 Memorandum of Points and Authorities and all other pleadings and files contained herein.

MEMORANDUM OF POINTS AND AUTHORITIES

I. BACKGROUND AND RELEVANT PROCEDURAL HISTORY

Plaintiff filed this case alleging violations of his constitutional rights.¹ Defendants
 have accepted service.² On or around March 16, 2024, Mr. Garren was released from

¹ ECF No. 11.

² ECF No. 29.

Lovelock Correctional Center (LCC). The Court has not entered a Scheduling Order for this case as of April 1, 2024.

II. APPLICABLE LAW FOR MOTION TO STAY DISCOVERY

Courts have broad discretionary power to control discovery.³ “The Federal Rules of Civil Procedure do not provide for automatic or blanket stays of discovery when a potentially dispositive motion is pending.”⁴ Instead, a party seeking to stay discovery carries the burden of making a strong showing why discovery should be denied.⁵

In deciding whether to grant a stay of discovery, the court is guided by the objectives of Fed. R. Civ. P. 1 to ensure a “just, speedy, and inexpensive determination of every action.”⁶ Staying discovery when a court is convinced that the plaintiff will be unable to state a claim for relief furthers the goal of efficiency for the court and the litigants.⁷

III. ARGUMENT TO STAY DISCOVERY

Staying this case will further the goal of efficiency for this Court and the parties. Plaintiff is currently working on establishing his housing situation since his release from LCC. Further, there is no discovery order from the Court yet, so there are no deadlines that will need to be moved. Finally, a 90-day stay of the case will increase judicial efficiency to allow time for Plaintiff to secure space to store legal documents that will be disclosed through discovery. Thus, this Court should stay the case for 90 days.

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³ See, e.g., *Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir.1988).

⁴ *Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 601 (D. Nev. 2011).

⁵ See, e.g., *Turner Broadcasting Sys., Inc. v. Tracinda Corp.*, 175 F. R. D. 554, 556 (D. Nev. 1997).

⁶ *Tradebay*, 278 F. R.D. at 602–03.

⁷ *Little*, 863 F.2d at 685 (noting a stay of discovery furthered the goal of efficiency where a party had moved for judgment on the ground of qualified immunity).

1 **IV. CONCLUSION**

2 The parties respectfully request this Court grant their joint stipulation to stay the
3 case for 90 days.

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5 DATED this 19 day of April, 2024.

DATED this 24th day of April, 2024.

6 AARON D. FORD
7 Attorney General

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9 /s/ Ronald J. Garren
10 Ronald Garren
11 Plaintiff

/s/ Nathan M. Claus
Nathan M. Claus (Bar No. 15889)
Attorneys for Defendant

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16 **ORDER**

17 **IT IS SO ORDERED.** This matter is STAYED FOR NINETY DAYS.

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19 DATED _____, 2024.

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23 _____
24 UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

I certify that I am an employee of the State of Nevada, Office of the Attorney General, and that on April 24, 2024, I electronically filed the foregoing **JOINT STIPULATION TO STAY THE CASE 90 DAYS (FIRST REQUEST)** via this Court's electronic filing system. Parties who are registered with this Court's electronic filing system will be served electronically. For those parties not registered, service was made by depositing a copy for mailing in the United States Mail, first-class postage prepaid, at Las Vegas, Nevada to the following:

Ronald Garren
Parkway Lodge
49 Park Street
Apt. 30
Reno, Nevada 89502

/s/ Andrea Beckett
ANDREA BECKETT, an employee of the
Office of the Nevada Attorney General